

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:
Cabell County Commission v.
AmerisourceBergen Drug Corporation, et al.
Case No. 1:17-op-45053-DAP (S.D. W. Va.)

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

DECLARATION OF CHARLES C. LIFLAND IN SUPPORT OF
MANUFACTURER DEFENDANTS' JOINT MOTION TO DISMISS PLAINTIFF'S
SECOND AMENDED COMPLAINT

I, Charles C. Lifland, declare as follows:

1. I am a partner at the law firm of O'Melveny & Myers LLP and counsel of record for Defendants Johnson & Johnson, Janssen Pharmaceuticals, Inc., Janssen Pharmaceutica, Inc. n/k/a Janssen Pharmaceuticals, Inc., and Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc., in the above-captioned matter. I am a member in good standing of the State Bar of California. I submit this declaration in support of Manufacturer Defendants' Joint Motion to Dismiss Plaintiff's Second Amended Complaint. I have personal knowledge of the following facts and, if called and sworn as a witness, could and would testify competently thereto.

2. Attached hereto as **Exhibit A** is a true and correct copy of the complaint filed in *State of West Virginia v. Amerisourcebergen, et al.*, Case No. 12-C-141 (W. Va. Cir. Ct. Boone Cnty. June 26, 2012).

3. Attached hereto as **Exhibit B** is a true and correct copy of the amended complaint filed in *State of West Virginia v. McKesson Co.*, Case No. 16-C-1 (W. Va. Cir. Ct. Boone Cnty. Jan. 21, 2016).

4. Attached hereto as **Exhibit C** is a true and correct copy of the Cabell County Commission Resolution, as filed by Cabell County on March 9, 2017 as Exhibit 1 to its Original Complaint in the instant action. *See* Dkt. No. 1-1.

I declare under penalty of perjury that the foregoing is true and correct. This Declaration was executed in Los Angeles, California on June 8, 2018.

/s/ Charles C. Lifland

Charles C. Lifland

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Janssen Pharmaceuticals, Inc. n/k/a Janssen

Pharmaceuticals, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2018, a copy of the foregoing **Declaration of Charles C. Lifland in Support of Manufacturer Defendants' Joint Motion to Dismiss Plaintiff's Second Amended Complaint** was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Dated: June 8, 2018

/s/ Charles C. Lifland

Charles C. Lifland

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